

AO 91 (Rev. 11/11) - Criminal Complaint

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UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Vicente GALVAN-OREA

Case: 2:23-mj-30467
Case No. Assigned To : Unassigned
Assign. Date : 11/21/2023
Description: USA V.
GALVAN-OREA (CMP)(CMC)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 14, 2023 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Offense Description

Title 8, United States Code, Section 1326(a),(b)(1)

Unlawful Re-entry after Removal from the United States

This criminal complaint is based on these facts:

On or about November 14, 2023, in the Eastern District of Michigan, Southern Division, Vicente GALVAN-OREA, an alien from Mexico, who had previously been convicted of a felony offense, was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about March 9, 2022, and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326 (a), (b)(1).

☒ Continued on the attached sheet.Sworn to before me and signed in my presence
and/or by reliable electronic means.Date: November 21, 2023City and state: Detroit, MI

Complainant's signature

Scott D. Hall, Deportation Officer

Printed name and title



Judge's signature

Kimberly Altman, United States Magistrate Judge

Printed name and title

AFFIDAVIT

I, Scott D. Hall, declare the following under penalty of perjury:

1. I am a Deportation Officer with the United States Department of Homeland Security, United States Immigration and Customs Enforcement (ICE). I have been employed in this capacity since September 2009. Currently, I am assigned to the Fugitive Operations Program in Detroit, MI. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers to include Immigration and Customs Enforcement Officers and record checks of law enforcement databases. I have also reviewed the Alien Registration File and system automated data relating to Vicente GALVAN-OREA, which attests to the following:
2. GALVAN-OREA is a fifty-four-year-old male, native and citizen of Mexico, who last entered the United States at or near an unknown place, on or about an unknown date without begin admitted, inspected, or paroled by an Immigration Officer.
3. On or about November 17, 2008, Immigration and Customs Enforcement/Office of Investigations in Detroit, MI arrested GALVAN-OREA and issued him form I-862 (Notice to Appear), with a \$5,000.00 bond. On November 19, 2008, Immigration and Customs Enforcement /Enforcement and Removal Operations (ICE/ERO) released GALVAN-OREA from custody after he posted bond.
4. On or about April 30, 2010, an Immigration Judge (IJ) in Detroit, MI ordered GALVAN-OREA removed from the United States to Mexico. GALVAN-OREA reserved appeal.
5. On or about May 18, 2010, GALVAN-OREA filed an appeal of the Immigration Judge's (IJ) order to the Board of Immigration Appeals (BIA) and on April 5, 2011, the BIA dismissed GALVAN-OREA'S appeal.
6. On or about July 7, 2011, GALVAN-OREA filed a Motion to Reopen to the Board of Immigration Appeals (BIA) and on October 5, 2011, the BIA denied GALVAN-OREA's Motion to Reopen.

7. On January 6, 2012, Immigration and Customs Enforcement /Enforcement and Removal Operations (ICE/ERO) removed GALVAN-OREA from the United States to Mexico.
8. On March 21, 2012, the United States Border Patrol (USBP) arrested GALVAN-OREA at or near Falfurrias, TX and issued him form I-871 (Notice of Intent/Decision to Reinstate Prior Order) and on March 26, 2012, ICE/ERO removed GALVAN-OREA from the United States to Mexico via Calexico, CA.
9. On March 31, 2012, the United States Border Patrol (USBP) arrested GALVAN-OREA at or near Calexico, CA and issued him form I-871 (Notice of Intent/Decision to Reinstate Prior Order) and on April 2, 2012, ICE/ERO removed GALVAN-OREA from the United States to Mexico via Harlingen, TX.
10. On February 26, 2020, ICE/ERO officers encountered GALVAN-OREA in Detroit, MI and issued him form I-871 (Notice of Intent/Decision to Reinstate Prior Order).
11. On April 23, 2020, the United States District Court in the Eastern District of Michigan convicted GALVAN-OREA of Title 8, United States Code, Section 1326(a) and sentenced him to time served.
13. On May 12, 2020, ICE/ERO removed GALVAN-OREA from the United States to Mexico via Hidalgo, TX.
14. On October 13, 2021, the Kinney County, Texas Department of Public Safety arrested GALVAN-OREA for the offense of Criminal Trespass. On or about March 8, 2022, GALVAN-OREA was sentenced to 120 days' jail.
15. On March 3, 2022, ICE/ERO arrested GALVAN-OREA in Harlingen, TX and issued him form I-871 (Notice of Intent/Decision to Reinstate Prior Order) and on March 9, 2022, ICE/ERO removed GALVAN-OREA from the United States to Mexico via Harlingen, TX.
16. On November 14, 2023, GALVAN-OREA was encountered by immigration officers in Detroit, Michigan and subsequently taken into ICE custody. GALVAN-OREA's fingerprints and photograph were captured and entered

into the Automated Biometric Identification System (IDENT) and the Integrated Automated Fingerprint Identification System (IAFIS). The results revealed that GALVAN-OREA is a citizen of Mexico who has been previously removed from the United States. The record checks did not provide any evidence that GALVAN-OREA legally entered the United States or had been issued any legal immigration document to allow him to enter or remain the United States.

17. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
18. Review of records from the Alien File (A# XXX XXX 901) for GALVAN-OREA and queries in Department of Homeland Security databases confirm that no record exists of GALVAN-OREA obtaining permission from the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States following his removal on March 9, 2022.
19. Based on the above information, I believe there is probable cause to conclude that Vicente GALVAN-OREA is an alien, who was previously convicted of a felony offense, and who was found in the United States after removal, without the express permission from the Attorney General of the United States or from the Secretary of the Department of Homeland Security to re-apply for admission into the United States in violation of Title 8, United States Code, Section 1326(a), (b)(1).


Scott D. Hall, Deportation Officer

Sworn to before me and signed in my presence and/or by reliable electronic means.


Honorable Kimberly Altman
United States Magistrate Judge

Dated: November 21, 2023